

REMARKS

In the Office Action, dated February 10, 2004, the Examiner states that Claims 1-14 are pending and Claims 1-14 are rejected. By the present Amendment, Applicant amends the claims.

In the Office Action, the drawings are objected to for failing to show the straps between the iliac rolls and the abdominal pad, and for showing the iliac rolls with two different reference numbers (#3 and #4). The Applicant respectfully disagrees with these objections.

As shown in Figure 1, the iliac rolls (3) extend from the back, forward to merge with the straps (4). The iliac rolls (3) and straps (4) are formed together without interruption. Thus, it can be seen that the straps (4) are disposed between the iliac rolls (3) and the abdominal pad (7), and that reference numbers 3 and 4 are two separate but connected elements.

The listing of Swedish Patent No. 85058547-3 in the specification is objected to for being an improper Information Disclosure Statement (IDS). The Applicant confirms that this patent is identical to SE 454944 cited in the International Search Report, which is a counterpart of U.S. 4,821,739 already considered by the Examiner.

Claim 1 is objected to for containing a minor typing error. The Examiner also has suggested revisions to the claims to improve clarity. The Applicant has amended Claims 1 and 14 to correct the error and as the Examiner has suggested to improve clarity. No claim amendments have been made for reasons relating to patentability of the claims in view of the cited references.

In the Office Action, Claims 1-14 are rejected under 35 U.S.C. § 102 (b) as anticipated by Willner et al. (U.S. 4,821,739). Claim 14 is rejected under 35 U.S.C. § 103(a) as obvious over Willner. The Applicant respectfully disagrees with and traverses these rejections.

The most important features of the invention is 1) that the orthosis has a connection means with lateral iliac rolls to be positioned at the top of the pelvis bone and straps to be connected to an anterior abdominal pad; and 2) that the orthosis has an adjustable lumbar pad which may be set at a predetermined distance from a posterior frame to thereby adjust the applied pressure. The rolls are not flexible but manufactured of tube-like elements e.g. of aluminum or plastic. The location of the iliac rolls at the top of the pelvis bone always ensures the same location of the orthosis relative to the patient's body. The first feature is important in order that the orthosis may be placed simply and reproducibly in the correct position on a patient's body. The other feature is important in order that the lumbar pad may be placed in the correct position so that the shape of the lumbar lordosis is adjusted for maximum pain relief.

Willner discloses a test instrument for testing out a spinal orthosis or a corset. The test instrument has an adjustable back plate or lumbar pad but the instrument lacks iliac rolls and is simply attached by means of several pairs of straps, resulting in that it is difficult to place the instrument in a reproducible way on the patient's body.

None of the cited documents disclose the design of connection means with rigid iliac rolls and straps as is defined in the present invention. Furthermore, Willner discloses a test instrument having several adjustment mechanisms which would be awkward to add on an orthosis. Furthermore, to adapt the back plate of the test instrument to an orthosis the protruding screw 22 must also be eliminated in one way or another at the same time as the adjustment capability is maintained. In the present invention this is solved by the vertically placed adjustment screw 8, as is defined in Claim 4.

Since Willner does not disclose the use of iliac rolls as claimed in independent Claim 1, the Applicant considers the anticipation rejection thereto, and to the dependent claims, overcome.

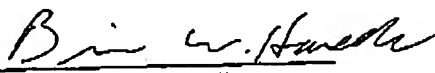
In light of the foregoing response, all the outstanding objections and rejections have been overcome. Applicant respectfully submits that this

4

application should now be in better condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

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Date


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Stig WILLNER et al.)
SERIAL NO: 10/009,860) Group Art Unit: 3743
FILED: October 26, 2001) Examiner: Azadeh Kokabi
TITLE: ADJUSTABLE SPINAL BRACE

AMENDED CLAIMS

1. (currently amended) An adjustable spinal brace comprising an anterior abdominal pad, a posterior frame and lateral iliac rolls, said iliac rolls to be positioned at the top of the pelvis bone, and the abdominal pad and the posterior frame ~~being~~ being interconnected by a connection means, wherein the connection means comprises said iliac rolls and straps to be connected to the anterior abdominal pad, and the posterior frame has an adjustable lumbar pad provided with pressure setting means for setting the distance between the lumbar pad and the posterior frame, thereby enabling an adjustment of ~~the applied pressure~~ an applied pressure.
2. (original) A spinal brace according to claim 1, wherein the lumbar pad also is adjustable in height.
3. (original) A spinal brace according to claim 1, wherein the pressure setting means comprises a screw jack.
4. (original) A spinal brace according to claim 3, wherein the screw jack comprises a vertically placed adjusting screw.
5. (original) A spinal brace according to claim 3, wherein the position of the screw of the screw jack is adjustable in the lateral direction.
6. (original) A spinal brace according to claim 1, wherein the posterior frame comprises two vertical struts, a cranial horizontal support and a caudal horizontal support.

7. (original) A spinal brace according to claim 6, wherein the cranial horizontal support and the caudal horizontal supports are adjustable in height.

8. (original) A spinal brace according to claim 1, wherein straps are provided between the iliac rolls and the abdominal pad.

9. (original) A spinal brace according to claim 6, wherein straps are provided between the horizontal supports and the abdominal pad.

10. (original) A spinal brace according to claim 8, wherein straps are provided between the horizontal supports and the abdominal pad.

11. (original) A spinal brace according to claim 1, wherein the anterior abdominal pad is lightweight and concave and adapted to cover the abdomen substantially from the symphysis to the sternum point.

12. (original) A spinal brace according to claim 6, wherein the anterior abdominal pad is lightweight and concave and adapted to cover the abdomen substantially from the symphysis to the sternum point.

13. (original) A spinal brace according to claim 8, wherein the anterior abdominal pad is lightweight and concave and adapted to cover the abdomen substantially from the symphysis to the sternum point.

14. (currently amended) A spinal brace according to claim 11, wherein the cranial border of the anterior abdominal pad is ~~is shaped after~~ configured to conform to the shape of the lower ribs.